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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
TAKAFUMI ITOH, ET AL. : GROUP ART UNIT: 2672
SERIAL NO: 09/632,221 :
FILED: AUGUST 3, 2002 : EXAMINER: RAHMJOO, M.
FOR: PROJECTION DISPLAY :
APPARATUS, DISPLAY METHOD
FOR SAME AND IMAGE DISPLAY...

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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Technology Center 2600

SIR:

In response to the communication dated August 27, 2002, and further in response to the Restriction Requirement therein, Applicants herein provisionally elect the invention of Group II, claims 18, 19, 21, and 24 also referred to in the Requirement as invention 2 and indicated to be drawn to displaying an image when certain display conditions are met (e.g. condition judging section), classified in class 345, and subclass 619. As noted in the Requirement, claims 11-17, 20, and 23 are linking claims that must be examined with the elected group.

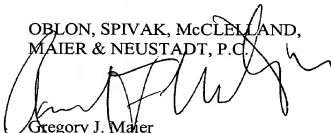
Applicants further respectfully traverse this Requirement because there has been no showing of serious burden being present here as to examining the claims of Groups I and II together.

In this respect, the requirement acknowledges that claims 11-17, 20, and 23 are linking claims. Any search to be performed must, accordingly, be conducted as to the subject matter of both provisionally elected Group II claims 18, 19, 21, and 24 and the subject matter of non-elected claims 1-10 and 22 of Group I. Accordingly, as a proper search must include both the subject matter of provisionally elected Group II claims 18, 19, 21, and 24 and the subject matter of non-elected claims 1-10 and 22 of Group I because the subject matter of linking claims 11-17, 20, and 23 must be searched, there can be no pretense here of any serious burden in examining all of claims 1-24 together. Consequently, it is submitted that MPEP §803 requires that all of claims 1-24 must be examined together, any allegation of distinctness between any of these claims notwithstanding.

Therefore, absent any showing of a serious burden, withdrawal of the Requirement and an examination of Claims 1-24 together is respectfully urged to be in order.

Respectfully submitted,

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